

Weldon (PA) Wicker Wolf
Weller Wilson (NM) Young (FL)
Whitfield Wilson (SC)

NOT VOTING—33

Ackerman Everett Nethercutt
Baker Gephardt Owens
Ballenger Goss Schrock
Boehlert Houghton Serrano
Bonner John Sherwood
Cannon Johnson, E. B. Slaughter
Clay Kleczka Tauzin
Conyers Langevin Taylor (MS)
Crowley McInnis Towns
Dunn Miller (FL) Weiner
Engel Murtha Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

□ 2228

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MRS. KELLY

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Mrs. KELLY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 360, noes 37, not voting 36, as follows:

[Roll No. 454]

AYES—360

Abercrombie Brown-Waite, Davis, Jo Ann
Akin Ginny DeFazio
Alexander Burgess DeGette
Allen Burns Delahunt
Andrews Burr DeLauro
Baca Butterfield DeLay
Bachus Buyer DeMint
Baird Calvert Deutsch
Baldwin Camp Diaz-Balart, L.
Barrett (SC) Cantor Diaz-Balart, M.
Bartlett (MD) Capito Dicks
Barton (TX) Capps Dingell
Bass Capuano Doggett
Beauprez Cardin Dooley (CA)
Becerra Cardoza Doolittle
Bell Carson (IN) Doyle
Berkley Carson (OK) Dreier
Berman Carter Edwards
Berry Case Ehlers
Biggert Castle Emanuel
Bilirakis Chabot Emerson
Bishop (GA) Chandler Eshoo
Bishop (NY) Chocola Etheridge
Bishop (UT) Clyburn Evans
Blackburn Cole Farr
Blumenauer Cooper Fattah
Blunt Costello Feeney
Boehner Cox Ferguson
Bono Cramer Filner
Boozman Crane Flake
Boswell Crenshaw Foley
Boucher Cubin Forbes
Boyd Culberson Ford
Bradley (NH) Cummings Fossella
Brady (PA) Davis (AL) Frank (MA)
Brady (TX) Davis (CA) Franks (AZ)
Brown (OH) Davis (FL) Frelinghuysen
Brown (SC) Davis (IL) Frost
Brown, Corrine Davis (TN) Gallegly

Garrett (NJ) Lofgren
Gerlach Lowey
Gibbons Lucas (KY)
Gilchrest Lucas (OK)
Gillmor Lynch
Gingrey Majette
Gonzalez Maloney
Goodlatte Manzullo
Gordon Markey
Granger Marshall
Graves Matheson
Green (TX) McCarthy (MO)
Green (WI) McCarthy (NY)
Greenwood McCollum
Grijalva McCotter
Gutierrez McCrery
Gutknecht McDermott
Hall McGovern
Harman McHugh
Harris McIntyre
Hart McKeon
Hastings (FL) McNulty
Hastings (WA) Meehan
Hayworth Meek (FL)
Hefley Meeks (NY)
Hensarling Menendez
Herger Mica
Herseth Michaud
Hill Millender
Hinchey McDonald
Hinojosa Miller (MI)
Hobson Miller (NC)
Hoeffel Miller, Gary
Hoekstra Miller, George
Holden Moore
Holt Moran (KS)
Honda Murphy
Hoolley (OR) Musgrave
Hoyer Nadler
Hulshof Napolitano
Hunter Neal (MA)
Hyde Neugebauer
Inslee Ney
Isakson Northup
Israel Nunes
Issa Nussle
Jackson (IL) Obey
Jackson-Lee (TX) Ortiz
Jefferson Osborne
Jenkins Ose
Johnson (CT) Otter
Johnson (IL) Oxley
Jones (OH) Pallone
Kanjorski Pascarell
Kaptur Payne
Keller Pearce
Kelly Pelosi
Kennedy (MN) Pence
Kennedy (RI) Peterson (MN)
Kildee Peterson (PA)
Kilpatrick Pitts
Kind Platts
King (NY) Pombo
Kirk Pomeroy
Kline Porter
Kolbe Portman
Kucinich Price (NC)
LaHood Pryce (OH)
Lampson Putnam
Lantos Quinn
Larsen (WA) Radanovich
Larson (CT) Rahall
Latham Ramstad
LaTourette Rangel
Leach Regula
Lee Rehberg
Levin Renzi
Lewis (GA) Reyes
Lewis (KY) Reynolds
Linder Rodriguez
Lipinski Rogers (AL)
LoBiondo Rogers (KY)
Rogers (MI)

NOES—37

Aderholt Jones (NC)
Burton (IN) King (IA)
Coble Kingston
Collins Knollenberg
Cunningham Lewis (CA)
Davis, Tom Mollohan
Deal (GA) Moran (VA)
Duncan Myrick
Goode Norwood
Hayes Oberstar
Hostettler Oliver
Istook Pastor
Johnson, Sam Paul

Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Vitter
Walden (OR)
Walsh
Wamp
Watson
Watt
Waxman
Weldon (PA)
Weller
Wexler
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—36

Ackerman English Murtha
Baker Everett Nethercutt
Ballenger Gephardt Owens
Boehlert Goss Schrock
Bonilla Houghton Serrano
Bonner John Sherwood
Cannon Johnson, E. B. Slaughter
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Crowley Matsui Towns
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Engel Miller (FL) Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 2236

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, on Tuesday, September 14, 2004, I was granted an official leave of absence as a result of my illness. Therefore, I was unable to make rollcall votes 444 to 454.

Had I been here, I would have voted “no” for rollcall No. 444, providing for consideration of the bill (H.R. 4571) to amend rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability; “no” for rollcall No. 445, H.R. 3369, Nonprofit Athletic Organization Protection Act; “aye” for rollcall No. 446, H.R. 1787, Good Samaritan Volunteer Firefighter Assistance Act; “aye” for rollcall No. 447, H.R. 1084, Volunteer Pilot Organization Protection Act; “aye” for rollcall No. 448, the Turner Substitute Amendment; “aye” for rollcall No. 449, On Motion to Recommit with Instructions; “no” for rollcall No. 450, H.R. 4571, Lawsuit Abuse Reduction Act; “yes” for rollcall No. 451, on Ordering the Previous Question; “yes” for rollcall No. 452, the Oxley Amendment; “yes” for rollcall No. 453, the DeLauro Amendment; “yes” for rollcall No. 454, the Kelly Amendment.

Mr. ISTOOK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. KLINE) having assumed the chair, Mr. HASTINGS of Washington, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5025) making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005, had come to no resolution thereon.

LIMITATION ON AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 5025, TRANSPORTATION, TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2005

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 5025 in the Committee of the Whole pursuant to House Resolution 770, no amendment to the bill may be offered except:

Pro forma amendments offered at any point by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; amendment 1; amendment 2, which shall be debatable for 1 hour; amendment 5, which shall be debatable for 40 minutes; an amendment by the gentleman from Oklahoma (Mr. ISTOOK) regarding GSA; an amendment by the gentleman from Massachusetts (Mr. OLVER) regarding Federal Motor Vehicle Safety Standards, which shall be debatable for 30 minutes; an amendment by the gentleman from Massachusetts (Mr. OLVER) regarding the IRS or regarding election reform, which shall be debatable for 20 minutes; an amendment by the gentleman from Ohio (Mr. BROWN) regarding the definition of manufacturing; an amendment by the gentleman from Maryland (Mr. VAN HOLLEN) regarding OMB circular A-76, which shall be debatable for 20 minutes; an amendment by the gentlewoman from West Virginia (Mrs. CAPITO) regarding private collection, which shall be debatable for 20 minutes; an amendment by the gentleman from Arizona (Mr. FLAKE) regarding Cuba, which shall be debatable for 1 hour; an amendment by the gentleman from Massachusetts (Mr. DELAHUNT) regarding Cuba; an amendment by the gentleman from New York (Mr. RANGEL) regarding Cuba; an amendment by the gentlewoman from California (Ms. LEE) regarding Cuba; an amendment by the gentlewoman from California (Ms. WATERS) regarding Cuba; an amendment by the gentleman from Texas (Mr. STENHOLM) regarding the debt limit, which shall be debatable for 20 minutes; an amendment by the gentleman from Illinois (Mr. GUTIERREZ) regarding the Comptroller of the Currency, which shall be debatable for 30 minutes; an amendment by the gentleman from Virginia (Mr. MORAN) regarding chapter 89 of title 5 of the United States Code, which shall be debatable for 20 minutes; an amendment by the gentleman from North Carolina (Mr. BUTTERFIELD) on disadvantaged business enterprises; and an amendment by the gentlewoman from the District of Columbia (Ms. NORTON) regarding federal employee health benefit plans.

Each amendment may be offered only by the Member named in the request or a designee or the Member who caused it to be printed or a designee; shall be considered as read; shall not be subject to amendment except pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations for the purpose of debate; and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole.

Except as specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent. An amendment shall be considered to fit the description stated in this request if it ad-

dresses in whole or in part the object described.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. OBEY. Mr. Speaker, reserving the right to object, at this point, this bill looks like an accident that started out to happen to somebody else.

I would like to ask one question of the gentleman from Oklahoma. It is my understanding that, with this unanimous consent agreement, that Members can count on the fact that the last vote on this bill will begin at noon tomorrow. It is my understanding that the leadership intends to bring up a suspension bill after consideration of this bill but that the last vote on this bill will start around noon tomorrow. Is that not correct?

Mr. ISTOOK. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Speaker, my understanding is the same as the gentleman's, that indeed the last vote on this bill tomorrow will be at noon and that we will complete consideration of this bill this following Tuesday.

Mr. OBEY. Mr. Speaker, with that understanding, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERSONAL EXPLANATION

Mr. SANDERS. Mr. Speaker, I would indicate that I inadvertently missed a vote this afternoon on H.R. 4571. If I had voted, I would have voted "no."

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE AMERICAN SOLDIERS IN IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, tonight, I will read an article that was written by Joan Ryan, a columnist at the San Francisco Chronicle, that was in the newspaper on September 9, 2004. Joan was talking before a TV show, and she wrote an article about the conversation she had with Dolores Kesterson, and these are Joan's words: "Dolores

Kesterson wanted to know if I had read about the father in Florida. Dolores's 29-year-old son, Erik, her only child, was killed almost 10 months ago when his Black Hawk helicopter crashed in Mosul during a firefight. He had been in Iraq just 8 days.

"She found out the ways parents always find out, a knock on their door. For her, it came around 8:25 the night of November 15 as she was washing her dinner dishes. A man and a woman from the Army stood in the doorway. They gently suggested she sit down. 'This father in Florida,' she was telling me, 'when the Marines came to the door to tell him his son had died, took a hammer to their van, poured gasoline into it, set it on fire and got in.'"

□ 2245

Her face remained expressionless, but her eyes lifted to meet mine as if to say, do you get it? That is what it feels like.

Later, during the show, I saw a picture of Eric: good-looking, square-jawed, and smiling. But what I really saw on the screen was my own son, my own only child.

That is why we do not look too closely, I think, on those occasions when the names and photos of the dead appear in print. We do not want to get too close to that pain. That is why neighbors have been giving Kesterson a wide berth. They do not know what to say, but they also do not want to think too hard about what she has lost: not a soldier, but a boy, who once slept in footie pajamas, who waved at her from the merry-go-round, who liked her cooking more than any on Earth.

The only way to make this war at all tolerable is to allow it to be a televised blur of road-side bombings, insurgent militia and thick reports issued from Washington at regular enough intervals to keep the talking heads occupied on the Sunday morning shows.

When embedded reporters covered the start of this war, the big picture issues, namely, the shaky rationale for the war, were buried beneath the stories of individual military units. This is why embedding reporters was such a brilliant stroke. The unwavering focus on the grit and courage of the American soldiers made it nearly impossible to criticize the war publicly.

Now that those soldiers are dying, the lens has gone panoramic. The farther we stay from Erik Kesterson and Steven Bridges and Jimmy Arroyave and Arron Clark and Ken Ballard, the easier to imagine that this war is not a horrifying disaster.

The Bush administration is so determined to keep us from thinking about dead soldiers that it even will not allow photographs of flag-draped coffins being transported back to the United States. "Maybe if everyone could see them, they would realize that they are somebody's children," one parent at the town hall meeting said, which is exactly the point. This administration would rather we not listen